

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited electronically with the USPTO via www.uspto.gov

Dated: June 22, 2009 Signature: /mwresq/
Merle Richman

Docket No.: **END001US**
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Brian KELLEHER et al.

Application No.: 10/659,211

Filed: September 9, 2003

For: Device and Method for Endoluminal Therapy

Confirmation No.: 5748

Art Unit: 3763

Examiner: Victoria P. Campbell

AMENDED RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This is in response to the Office Action dated September 15, 2008 and a telephonic interview conducted between the Examiner, first inventor Brian Kelleher and the undersigned Attorney on April 16, 2009 and a Notice of Non-Complaint Amendment dated May 15, 2009. During the interview the Examiner stated our claims as amended in this amended response would overcome the art of record.

The pending Claims are listed beginning on page 2 of this paper.

Remarks/Arguments begin on page 17 of this paper.